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JUN 13 1997

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

Federal Communications Commission
Office of Secretary

In the Matter of

Advanced Television Systems)
and Their Impact Upon the) MM Docket No. 87-268
Existing Television Broadcast)
Service)

TO: The Commission

PETITION FOR RECONSIDERATION

South Central Communications Corporation ("SCCC"), by its counsel, hereby petitions the Commission to reconsider its Sixth Report and Order (the "Order") in the captioned proceeding.^{1/} In furtherance whereof, the following is shown.

Background Statement

SCCC is, in here relevant respects, the licensee of 11 Low Power Television Stations and an applicant for two full power television stations.^{2/} It may reasonably be deemed a "pioneer" in

^{1/} FCC 97-115, adopted April 3, 1997, released April 21, 1997 (62 FR 26684, May 14, 1997).

^{2/} SCCC has been a Commission licensee since 1954 (i.e., Station WIKY (AM), Evansville, IN) and is also presently the licensee of nine radio stations in the states of Indiana and Tennessee. SCCC filed initial comments in the proceedings below (see Order Appendix C) and participated in the companion proceedings incident to the Fourth Report and Order in MM Docket No. 876-268.

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the low power television (“LPTV”) service, having commenced the operation of LPTV Station W04BV (now WJPS-LP) in Evansville, IN in 1987. As well, it functioned as a “UHF pioneer” in that service, having operated Television Station WTVK on Channel 26, in Knoxville, TN, from 1954 to 1988, in competition with two VHF, network-affiliated stations.

It is respectfully submitted that just the foregoing demonstrates the long-term commitment of SCCC, a family-owned entity, to provide broadcast services in the public interest consistent with the Commission’s policies, rules and intent. The table of digital television (“DTV”) allotments presently specified in the Order substantially jeopardizes the ability of SCCC to continue such service through four of its existing LPTV stations and to initiate such service through the two full power television facilities for which it is an applicant.

As discussed hereinbelow, and as more fully demonstrated in the Engineering Statement appended hereto (the “Statement”), it reasonably appears that the presently proposed table of DTV allotments may be modified upon reconsideration so as to obviate all of the conflicts noted above.

Specific Modifications Proposed

LPTV Allotments

In order to provide for the continued operation of the four SCCC LPTV stations adversely impacted by the proposed DTV allotments, SCCC requests that, upon reconsideration, the Commission modify the related table as follows:

<u>Station</u>	<u>Present DTV Allotment</u>	<u>Modified DTV Allotment</u>
WVUT, Vincennes, TN	52	33
WDRB-TV, Louisville, KY	49	51
WTNZ, Knoxville, TN	34	46
WNAB, Nashville, TN	23	34

As shown in the attached Statement, such modifications would obviate the apparent conflict with SCCC's existing operations, respectively, on (1) Station W52AZ, Channel 52, Evansville, IN; (2) Station W49AX, Channel 49, Louisville, KY; (3) Station WEZK-LP, Channel 34, Knoxville, KY; and (4) Station WJDE-LP, Channel 24, Nashville, TN. As also shown, such modified DTV allotments would not occasion new or additional DTV interference to any other proposed DTV operations.^{3/}

Full Power Allotments

SCCC also requests that the following changes be made in the proposed DTV table of allotments with respect to the two SCCC applications for construction permits now pending before the Commission:

^{3/} As also described in the attached Statement, the modified DTV allotments proposed herein reflect the conclusions reached by an independent study conducted by the Association for Maximum Service Television, Inc. ("MSTV"). See "Alternative DTV Channel Assignments in the Continental United States," May 28, 1997.

<u>Station</u>	<u>Present DTV Allotment</u>	<u>Modified DTV Allotment</u>
WKGB, Bowling Green, KY	48	3
WATE-TV, Knoxville, TN	26	5

As shown in the attached Statement, such modifications would obviate the apparent conflict with SCCC's applications for, respectively, (1) Channel 48, Owensboro, KY (BPCT-960920IV), and (2) Channel 26, Knoxville, TN (BPCT-960920LJ)^{4/}

EXPOSITION

There is substantial warrant for effecting all of the modified DTV allocations proposed above. Thus, each would provide for the continuation or initiation of broadcast services which plainly must be presumed to be in the overall public interest. As well, each such modification may be effected without offsetting detriment to any other broadcast service, either in an NTSC or DTV mode.

There is additional and compelling warrant for effecting those proposed changes related to SCCC's existing LPTV operations. Thus, the Order laudably expressed and reaffirmed the Commission's purposed and intent to avoid or minimize detrimental impact upon the LPTV service where that may reasonably be achieved.^{5/} In the main, the Commission's commitments and proposals in that respect look toward providing alternative means and modes of further

^{4/} In the event that the DTV table of allotments should be modified so as to provide for the processing and ultimate grant of SCCC's applications for Channels 48 and/or 26, SCCC hereby commits to commence DTV operations thereon within 18 months of such grant provided that such operation would be technically consistent with the then-extant DTV interference provisions.

^{5/} See, generally, Order at §§ 114-143.

operations for those LPTV operations which are necessarily displaced by conflicting, full service DTV allotments and ultimate operations (e.g., Order, § 144 et seq.). It is manifest, however, that where, as here, potential LPTV displacement may be avoided in the first instance, the public interest dictates that course.

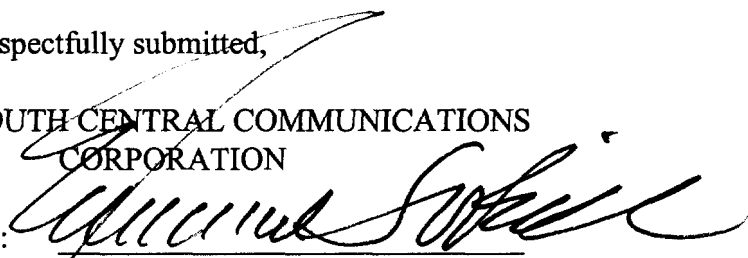
CONCLUSION

It is respectfully submitted that the DTV allotments proposed herein have been shown to be in the public interest and that, upon reconsideration, the final DTV table of allotments ought be modified accordingly.

Respectfully submitted,

SOUTH CENTRAL COMMUNICATIONS
CORPORATION

By:


Edward S. O'Neill
Its Counsel

Bryan Cave
700 Thirteenth Street, N.W.
7th Floor
Washington, D.C. 20005
202/508-60027

June 13, 1997

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of SOUTH CENTRAL COMMUNICATIONS CORPORATION ("SCCC") in support of its Petition for Reconsideration of certain digital television ("DTV") allotments contained in the Commission's *Sixth Report and Order* in MM Docket No. 87-268.

Our study of the impact of these DTV allotments on SCCC's LPTV stations and full-power TV applications shows there to be six instances in which interference from a new DTV allotment would cause predicted interference to an existing SCCC low-power television station or proposed full-power station. Fortunately, an acceptable alternative allotment is available in each case, and we describe these situations as follows:

- SCCC is an applicant for a new full-service NTSC operation on Channel 48 in Owensboro, Kentucky (BPCT-960920IV).

In proposing its DTV Table of Allotments, the Commission overlooked the Channel 48 allotment in Owensboro when it assigned DTV Channel 48 to WKGB-TV, Bowling Green, Kentucky, some 54 miles from the Owensboro reference coordinates. Clearly, an NTSC station in Owensboro cannot operate opposite a co-channel DTV facility in Bowling Green.

Therefore, SCCC proposes the allotment of DTV Channel 3 to WKGB-TV. This channel is available as a suitable substitute for WKGB-TV, based upon a study conducted by the Association for Maximum Service Television and the NAB, entitled "Alternative DTV Channel Assignments in the Continental United States, dated May 28, 1997 [the pertinent excerpt from that document is attached]. By substituting DTV Channel 3 for DTV Channel 48 in Bowling

Green, the Commission would preserve the Channel 48 allotment in Owensboro, an action which would clearly be in the public interest.

- SCCC is an applicant for a new full-service NTSC station on Channel 26 in Knoxville, Tennessee (BPCT-960920LJ).

The Commission allotted DTV Channel 26 to WATE-TV, Knoxville, without regard to the NTSC Channel 26 allotment in Knoxville. An NTSC and a DTV facility cannot operate on the same channel in the same community of license.

To resolve this problem, SCCC proposes to allot DTV Channel 5 to WATE-TV, based upon the MSTV/NAB study. By substituting DTV Channel 5 for DTV Channel 26 in Knoxville, the Commission would be sustaining its NTSC Channel 26 allotment in Knoxville as a definite public benefit.

With respect to SCCC's LPTV facilities, the Commission has made the following allotments for which SCCC seeks reconsideration:

- W52AZ, Evansville, Indiana. The Commission has allotted DTV Channel 52 to nearby WVUT, Vincennes, Indiana, which could clearly create a conflict. The MSTV study suggests Channel 33 as an alternative for WVUT.

- W49AX, Louisville, Kentucky. The Commission has allotted DTV Channel 49 to WDRB-TV, also licensed to Louisville, an obvious conflict. The MSTV study offers Channel 51 as an alternative for WDRB-TV.

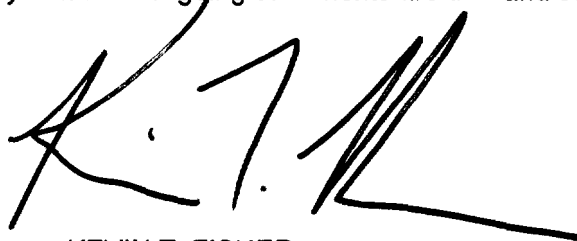
- WEZK-LP, Channel 34, Knoxville, Tennessee. The Commission has allotted DTV Channel 34 to WTNZ, also licensed to Knoxville--obviously a conflict. The MSTV study suggests Channel 46 as an alternative for WTNZ.

- WJDE-LP, Channel 24, Nashville, Tennessee. The Commission has allotted DTV Channel 23 to WNAB, also licensed to Nashville and clearly a conflict. The MSTV study lists Channel 34 as an alternative for WJDE-LP.

It must be noted that the complex software necessary to ensure replication of existing coverage, as well as that which allows the sophisticated interference analyses performed by the Commission in determining its proposed table of assignments is not presently available to the general public. As a result, alternative DTV channels, other than the ones specified herein, may be required in certain instances.

In light of the Commission's stated desire to lessen the impact of DTV allotments on the operation of LPTV and television translator stations, SCCC proposes that the alternative channels provided by MSTV be allotted to the above stations in place of those appearing in the Commission's table. Changing these allotments will ensure that the public will continue to receive all presently provided program services, yet will satisfy the Commission's goal of instituting the new DTV service. Therefore, these proposed changes are certainly in the interest of the public.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read 'K. T. Fisher', with a stylized flourish at the end.

KEVIN T. FISHER

June 4, 1997

Station at: KY ASHLAND Existing channel 61 ATV channel 45
5 6 14 36 47 48 51 52 58 59 60 62 63 64 66 68 69

Station at: KY BEATTYVILLE Existing channel 65 ATV channel 7
3 5 6 8 9 10 31 33 49 50 53 55 62 63 64 66 68 69

Station at: KY BOWLING GREEN Existing channel 13 ATV channel 33
3 6 12 60 61 62 63 64 65 67 69

Station at: KY BOWLING GREEN Existing channel 24 ATV channel 18
3 6 60 61 62 63 64 65 67 69

Station at: KY BOWLING GREEN Existing channel 40 ATV channel 16
3 6 60 61 62 63 64 65 67 69

*Station at: KY BOWLING GREEN Existing channel 53 ATV channel 48
3 6 47 60 61 62 63 64 65 67 69

Station at: KY CAMPBELLSVILLE Existing channel 34 ATV channel 19
2 5 6 9 10 12 25 31 35 45 60 61 62 63 64 67 69

Station at: KY COVINGTON Existing channel 54 ATV channel 24
25 60 61 62 66 69

Station at: KY DANVILLE Existing channel 56 ATV channel 4
2 6 13 22 25 50 53 61 62 63 66 69

Station at: KY ELIZABETHTOWN Existing channel 23 ATV channel 43
2 5 6 30 60 61 62 63 64 65 66

Station at: KY HARLAN Existing channel 44 ATV channel 51
9 18 21 25 45 52 53 55 59 60 61 62 63 64 66 67 69

Station at: KY HAZARD Existing channel 35 ATV channel 16
3 9 53 55 60 62 63 69

Station at: KY HAZARD Existing channel 57 ATV channel 12
3 9 13 53 55 60 62 63 69

Station at: KY LEXINGTON Existing channel 18 ATV channel 20
2 6 13 22 25 50 61 62 63 66 69

Station at: KY LEXINGTON Existing channel 27 ATV channel 59
2 6 13 22 25 28 50 60 61 62 63 69

5 7 21 27 60 62 63 64 65 67 68 69

Station at: TN CLEVELAND
7 58 64 65 66 67 68

Existing channel 53 ATV channel 42

Station at: TN COOKEVILLE
7 11 25 32 41 49 57 59 60 62 63

Existing channel 22 ATV channel 52
64 65 67 68 69

Station at: TN COOKEVILLE
7 11 25 32 41 49 57 59 60 62 63

Existing channel 28 ATV channel 36
64 65 67 68 69

Station at: TN CROSSVILLE
4 13 21 46 56 58 59 60 62 63

Existing channel 20 ATV channel 50
64 65 66 67 68 69

Station at: TN GREENEVILLE
60 61 63 64 65 66 67 69

Existing channel 39 ATV channel 38

Station at: TN HENDERSONVILLE
60 61 62 63 64 68 69

Existing channel 50 ATV channel 51

Station at: TN JACKSON

2 4 6 8 9 18 19 23 27 32 33 34 35 42 44 45 49 54 57 58 59 60 61 62 63
64 65 66 67 68 69

Existing channel 7 ATV channel 43

Station at: TN JACKSON

2 4 9 15 17 18 22 23 26 27 33 35 38 45 49 54 57 58 59 60 61 62 63 64 65
66 67 68 69

Existing channel 16 ATV channel 39

Station at: TN JELICO

3 13 24 40 45 46 53 55 58 59 60 61 62 63 64 66 67 68 69

Existing channel 54 ATV channel 23

Station at: TN JOHNSON CITY

8 9 10 15 30 34 60 61 63 64 65 66

Existing channel 11 ATV channel 58

Station at: TN KINGSPORT

8 9 15 20 30 34 60 61 63 64 65 66

Existing channel 19 ATV channel 27

* Station at: TN KNOXVILLE

5 27 46 58 60 63 64 65 66 67 68 69

Existing channel 6 ATV channel 26

Station at: TN KNOXVILLE

7 46 58 60 63 64 65 66 67 68 69

Existing channel 8 ATV channel 30

Station at: TN KNOXVILLE

11 46 58 60 63 64 65 66 67 68 69

Existing channel 10 ATV channel 31

6 51 60 61 62 65 66

Station at: IN SOUTH BEND
6 10 13 25 61 65 67 68 69

Existing channel 16 ATV channel 42

Station at: IN SOUTH BEND
6 10 13 23 25 61 65 67 68 69

Existing channel 22 ATV channel 30

Station at: IN SOUTH BEND
6 10 13 25 61 65 67 68 69

Existing channel 34 ATV channel 35

Station at: IN SOUTH BEND
6 10 13 25 49 61 65 67 68 69

Existing channel 46 ATV channel 48

Station at: IN TERRE HAUTE
5 32 34 35 43 47 55 57 60 61 62 64 65 66 67 68

Existing channel 2 ATV channel 36

Station at: IN TERRE HAUTE
5 34 43 47 55 57 60 61 62 64 65 66 67 68

Existing channel 10 ATV channel 24

Station at: IN TERRE HAUTE
5 32 34 43 47 55 57 60 61 62 64 65 66 67 68

Existing channel 38 ATV channel 39

* Station at: IN VINCENNES
5 6 12 33 34 43 46 47 48 60 61 62 64 65 66 67 69

Station at: KS COLBY
2 3 5 7 13 16 17 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36
38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62
63 64 65 66 67 68 69

Existing channel 4 ATV channel 15

Station at: KS DODGE CITY
4 8 9 15 24 25 26 27 28 29 30 31 32 33 34 35 36 38 39 40 41 42 43 44 45
46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

Existing channel 21 ATV channel 0

Station at: KS ENSIGN
7 8 9 14 15 25 26 27 28 29 30 31 32 33 34 35 36 38 39 40 41 42 43 44 45
46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

Existing channel 6 ATV channel 5

Station at: KS FORT SCOTT
2 4 5 6 9 18 22 38 41 48 49 53 54 55 56 58 59 60 61 62 63 64 65 66 67
68 69

Existing channel 20 ATV channel 40

Station at: KS GARDEN CITY
7 8 9 10 14 15 16 25 26 27 28 29 30 31 32 33 34 35 36 38 39 40 41 42 43
44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68
69

Existing channel 11 ATV channel 17

Station at: KY LEXINGTON Existing channel 36 ATV channel 40
2 6 13 22 25 39 50 61 62 63 69

Station at: KY LEXINGTON Existing channel 46 ATV channel 42
2 6 13 22 25 45 50 53 61 62 63 69

Station at: KY LOUISVILLE Existing channel 3 ATV channel 47
2 6 13 60 61 62 65 66

Station at: KY LOUISVILLE Existing channel 11 ATV channel 55
6 51 60 61 62 65 66

Station at: KY LOUISVILLE Existing channel 15 ATV channel 17
6 51 60 61 62 65 66

Station at: KY LOUISVILLE Existing channel 21 ATV channel 8
5 6 35 51 60 61 62 64 65 66

Station at: KY LOUISVILLE Existing channel 32 ATV channel 26
6 25 51 60 61 62 65 66

* Station at: KY LOUISVILLE Existing channel 41 ATV channel 49
6 50 51 60 61 62 65 66

Station at: KY LOUISVILLE Existing channel 68 ATV channel 38
6 39 51 60 61 62 65 66 67 69

Station at: KY MADISONVILLE Existing channel 19 ATV channel 20
2 11 12 38 39 47 61 62 63 64 65 66 67 68 69

Station at: KY MADISONVILLE Existing channel 35 ATV channel 42
11 12 22 55 61 62 63 64 65 67 68 69

Station at: KY MOREHEAD Existing channel 38 ATV channel 15
2 6 14 28 49 50 58 60 62 63 69

Station at: KY MOREHEAD Existing channel 67 ATV channel 21
2 6 28 32 47 49 50 51 58 60 62 63 66 68 69

Station at: KY MURRAY Existing channel 21 ATV channel 36
2 4 8 9 10 13 14 15 18 24 26 38 46 48 51 52 53 54 55 56 58 60 61 62 63
64 65 66 67 68 69

Station at: KY NEWPORT Existing channel 19 ATV channel 29

Station at: TN KNOXVILLE
46 58 60 63 64 65 66 67 68 69

Existing channel 15 ATV channel 17

* Station at: TN KNOXVILLE
46 58 60 63 64 65 66 67 68 69

Existing channel 43 ATV channel 34

Station at: TN LEBANON
41 43 54 60 62 63 64 65 67 68 69

Existing channel 66 ATV channel 44

Station at: TN LEXINGTON
2 4 6 9 18 19 23 27 32 33 34 35 45 48 49 54 57 58 59 60 61 62 63 64 65
66 67 68 69

Existing channel 11 ATV channel 47

Station at: TN MEMPHIS
2 4 22 27 38 44 59 60 61 62 63 64 65 66 67 68 69

Existing channel 3 ATV channel 28

Station at: TN MEMPHIS
6 22 38 44 59 60 61 62 63 64 65 66 67 68 69

Existing channel 5 ATV channel 52

Station at: TN MEMPHIS
9 22 38 44 59 60 61 62 63 64 65 66 67 68 69

Existing channel 10 ATV channel 29

Station at: TN MEMPHIS
22 38 44 54 59 60 61 62 63 64 65 66 67 68 69

Existing channel 13 ATV channel 53

Station at: TN MEMPHIS
15 17 22 38 44 59 60 61 62 63 64 65 66 67 68 69

Existing channel 14 ATV channel 0

Station at: TN MEMPHIS
22 23 38 44 59 60 61 62 63 64 65 66 67 68 69

Existing channel 24 ATV channel 25

Station at: TN MEMPHIS
22 32 38 44 59 60 61 62 63 64 65 66 67 68 69

Existing channel 30 ATV channel 31

Station at: TN MEMPHIS
22 38 44 59 60 61 62 63 64 65 66 67 68 69

Existing channel 50 ATV channel 51

Station at: TN MEMPHIS
22 38 44 57 59 60 61 62 63 64 65 66 67 68 69

Existing channel 56 ATV channel 0

Station at: TN MURFREESBORO
41 54 60 62 63 64 68 69

Existing channel 39 ATV channel 38

Station at: TN NASHVILLE
12 26 34 60 61 62 63 64 68 69

Existing channel 2 ATV channel 27

Station at: TN NASHVILLE Existing channel 4 ATV channel 10
11 12 34 41 54 60 61 62 63 64 68 69

Station at: TN NASHVILLE Existing channel 5 ATV channel 56
6 12 25 32 34 41 54 55 60 61 62 63 64 68 69

Station at: TN NASHVILLE Existing channel 8 ATV channel 46
7 12 34 47 60 61 62 63 64 68 69

Station at: TN NASHVILLE Existing channel 17 ATV channel 15
12 14 34 41 54 60 61 62 63 64 68 69

Station at: TN NASHVILLE Existing channel 30 ATV channel 21
12 25 29 31 32 34 41 54 60 61 62 63 64 68 69

*Station at: TN NASHVILLE Existing channel 58 ATV channel 23
34 60 62 63 64 68 69

Station at: TN SNEEDVILLE Existing channel 2 ATV channel 41
3 36 55 60 61 63 64 66 67 69

Station at: TN TAZEWELL Existing channel 48 ATV channel 0
4 36 46 59 60 61 62 63 64 66 67 69

Station at: TX ABILENE Existing channel 9 ATV channel 29
2 4 5 7 18 22 26 27 28 30 34 35 36 38 39 40 41 42 43 44 45 46 47 48 49
50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

Station at: TX ABILENE Existing channel 15 ATV channel 0
2 4 5 7 14 18 22 26 27 34 35 36 38 39 40 41 42 43 44 45 46 47 48 49 50
51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

Station at: TX ABILENE Existing channel 32 ATV channel 24
2 4 5 7 18 22 23 25 26 27 31 33 34 35 36 38 39 40 41 42 43 44 45 46 47
48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

Station at: TX ALVIN Existing channel 67 ATV channel 36
16 63 64 65 66 68 69

Station at: TX AMARILLO Existing channel 2 ATV channel 21
5 6 12 13 17 22 26 27 28 29 30 31 32 33 34 35 36 38 39 40 41 42 43 44 45
46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

Station at: TX AMARILLO Existing channel 4 ATV channel 19
5 6 12 13 17 26 27 28 29 30 31 32 33 34 35 36 38 39 40 41 42 43 44 45 46

CERTIFICATE OF SERVICE

I, Diane V. Johnson, hereby certify that a copy of the foregoing Petition for Reconsideration has been mailed first-class, postage prepaid on June 13, 1997, to the following:

Station WDRB-TV
One Independence Square
Louisville, KY 40203

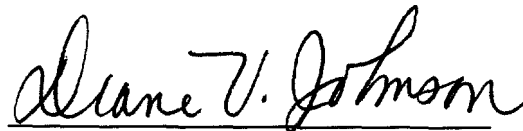
Television Station WTNZ
9000 Executive Park Drive
Building D
Knoxville, TN 37923

Television Station WNAB
3201 Dickerson Pike
Nashville, TN 37207

Station WATE-TV
1306 Broadway, N.E.
Knoxville, TN 37917

Television Station WVUT
Board of Trustees
The Vincennes University
1002 North First Street
Vincennes, IN 47591

Television Station WKGB-TV
Kentucky Authority for Educational TV
600 Cooper Drive
Lexington, KY 40502

A handwritten signature in black ink, reading "Diane V. Johnson". The signature is written in a cursive style with a large, stylized "D" and "J".

Diane V. Johnson